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Ban sought on U.S. court role in gay nuptial cases

THE ASSOCIATED PRESS

WASHINGTON • Continuing Republicans' election-year focus on gay marriage, the House is considering legislation to keep federal courts from ordering states to recognize same-sex unions sanctioned outside their borders.

Supporters said Wednesday that such legislation is needed to protect state bans on gay marriage from federal judges who might rule that a gay marriage that took place in Massachusetts, the only state where it is legal, must be recognized by other states.

"This bill is really a reaffirmation of states' rights," said Rep. David Dreier, R-Calif., chairman of the House Rules Committee.

The Marriage Protection Act would strip federal courts of their jurisdiction to rule on challenges to state bans on gay marriages under a provision of a 1996 federal law that defines marriage as a union between a man and a woman.

Republican leaders expect the measure to pass when it comes to a vote today, a week after the Senate voted not to advance a constitutional amendment to ban same-sex marriage.

Democratic opponents said the GOP is pushing ahead with an unconstitutional bill to appeal to socially conservative voters who are a key Republican constituency.

"That's what this is really all about, working their base to a frenzy for the election," said Rep. Luis Gutierrez, D-Ill.

Adding to Democrats' sense that the legislation of the House is motivated by politics is that no federal court has ruled on the 1996 law, the Defense of Marriage Act. r

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